

POMEROY), who was instrumental in the passage of this bill. We thank him for his leadership.

Mr. POMEROY. Mr. Speaker, I am delighted to be able to participate in this discussion. I want to thank the gentlewoman for yielding. I also thank the gentlewoman for struggling with the Hidatsa pronunciation of Sakakawea, when most across the Nation learned the Shoshone pronunciation Sacajawea. I think the sensitivity you showed to our feelings that it is the Hidatsa pronunciation that ought to be applicable is really representative of the kind of sensitivity you have shown to our concerns throughout this entire matter.

As far as that goes, I want to really commend my colleague from Delaware, MIKE CASTLE. I commend also the ranking member, BARNEY FRANK, for taking what was clearly set up to be a win-lose proposition, with the losers being those who really are proud of the Sakakawea coin, a coin representing the first Native American woman ever to grace a United States coin, a coin that we think also reflects honor and celebration of the bicentennial of the Lewis & Clark Expedition which opened up the north and west, and so we felt very strongly that the Mint had made the right decision moving the dollar coin forward with Sakakawea, and we were concerned about this coming to an end.

As we worked this through, this win-lose proposition became something that I now view much more favorably as a win-win proposition. I think the gentleman from Delaware has it right when he says that the introduction of the Presidents may spark a whole new interest in the dollar coin itself; and working together, we have been able to ensure that Sakakawea will continue to be on part of those coins.

As to in the end what is a right percentage or should there be a directed percentage, all I would say is we have worked in the end well on this matter, and I will pledge my commitment to continuing to work to make sure that this achieves the ends we all want: a dollar coin more popularly accepted; recognition of our Presidents; a popular collector's item for school children; and continued prominence of the Sakakawea coin in circulation in this country.

I think that in the end this has been for me a very satisfying legislative experience, and I commend the principals for making it so. Certainly, I think that you could have pursued this another way; and really, gosh, if we could do this more often around here on other issues, I think we would get a lot more done.

I also want to take the opportunity at the podium just to recognize Chairman OXLEY. As someone with a former background as an insurance commissioner, I have a deep interest in the matters of the Financial Services Committee, and the chairman's serving as the first chairman of this new com-

mittee with its broader reach of jurisdiction than the old banking committee, I think you have set a very high bar of leadership and integrity and fair-mindedness, and we have enjoyed your service in that regard. I look forward to working with you next year as you continue to serve out your chairmanship.

Mrs. MALONEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. OXLEY. Mr. Speaker, I again want to reiterate my support and thanks to the leadership of the gentleman from North Dakota and thanks for his cooperation. The gentlewoman from New York's negotiating skills got the Statue of Liberty on the coin. That is pretty impressive. And the gentleman from the First State has been a real leader in this for a long time. In the great tradition of our committee, we look forward to strong bipartisan support.

Mrs. KELLY. Mr. Speaker, I rise today in support of S. 1047. I have the privilege of representing the West Point Mint, the home of our nation's bullion coin programs. Since 1986 the mint and its employees have produced the American Eagle series of silver, gold, and platinum bullion coins with unmatched skill and quality. Each of the tens of millions of American Eagle bullion coins that has been sold is an investment in America, a savings for taxpayers, and a vote of confidence in the workmanship of the West Point Mint.

S. 1047 builds on that legacy by authorizing two new bullion programs, an American Presidential Spouse 24 karat gold bullion coin and an American Buffalo \$50 gold bullion coin. Passage of this bill into law will ensure that the West Point Mint remains at the center of American and global bullion coin production for years to come. I urge the members of the House to join me in passing this bill.

Mr. OXLEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the Senate bill, S. 1047.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. OXLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

#### GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1047.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### SMALL PUBLIC HOUSING AUTHORITY ACT

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3422) to amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan, as amended.

The Clerk read as follows:

H.R. 3422

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Public Housing Authority Act".

#### SEC. 2. PUBLIC HOUSING AGENCY PLANS FOR CERTAIN SMALL PUBLIC HOUSING AGENCIES.

(a) IN GENERAL.—Section 5A(b) of the United States Housing Act of 1937 (42 U.S.C. 1437c-1(b)) is amended by adding at the end the following new paragraph:

“(3) EXEMPTION OF CERTAIN SMALL PHASES FROM FILING REQUIREMENT.—

“(A) IN GENERAL.—Notwithstanding paragraph (1) or any other provision of this Act—

“(i) the requirement under paragraph (1) shall not apply to any qualified small public housing agency; and

“(ii) except as provided in subsection (e)(4)(B), any reference in this section or any other provision of law to a ‘public housing agency’ shall not be considered to refer to any qualified small public housing agency, to the extent such reference applies to the requirement to submit an annual public housing agency plan under this subsection.

“(B) CIVIL RIGHTS CERTIFICATION.—Notwithstanding that qualified small public housing agencies are exempt pursuant to subparagraph (A) from the requirement under this section to prepare and submit an annual public housing plan, each qualified small public housing agency shall, on an annual basis, make the certification described in paragraph (15) of subsection (d) of this section, except that for purposes of such small public housing agencies, such paragraph shall be applied by substituting ‘the public housing program of the agency’ for ‘the public housing agency plan’.

“(C) DEFINITION.—For purposes of this section, the term ‘qualified small public housing agency’ means a public housing agency that meets all of the following requirements:

“(i) The sum of (I) the number of public housing dwelling units administered by the agency, and (II) the number of vouchers under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) administered by the agency, is 250 or fewer.

“(ii) The agency is not designated pursuant to section 6(j)(2) as a troubled public housing agency.”.

(b) RESIDENT PARTICIPATION.—Section 5A of the United States Housing Act of 1937 (42 U.S.C. 1437c-1) is amended—

(1) in subsection (e), by inserting after paragraph (3) the following:

“(4) QUALIFIED SMALL PUBLIC HOUSING AGENCIES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), nothing in this section may be construed to exempt a qualified small public housing agency from the requirement under paragraph (1) to establish one or more resident advisory boards. Notwithstanding that qualified small public housing agencies are exempt pursuant to subsection (b)(3)(A) from the requirement

under this section to prepare and submit an annual public housing plan, each qualified small public housing agency shall consult with, and consider the recommendations of the resident advisory boards for the agency, in any determinations and actions of the agency regarding establishing goals, objectives, and policies of the agency.

“(B) APPLICABILITY OF WAIVER AUTHORITY.—Paragraph (3) shall apply to qualified small public housing agencies, except that for purposes of such small public housing agencies, subparagraph (B) of such paragraph shall be applied by substituting ‘the functions described in the second sentence of paragraph (4)(A)’ for ‘the functions described in paragraph (2)’.

“(f) PUBLIC HEARINGS.—”; and

(2) in subsection (f) (as so designated by the amendment made by paragraph (1) of this subsection), by adding at the end the following new paragraph:

“(5) QUALIFIED SMALL PUBLIC HOUSING AGENCIES.—

“(A) REQUIREMENT.—Notwithstanding that qualified small public housing agencies are exempt pursuant to subsection (b)(3)(A) from the requirement under this section to conduct a public hearing regarding the annual public housing plan of the agency, each qualified small public housing agency shall, not less than annually, conduct a public hearing to discuss the goals, objectives, and policies of the agency, and any changes to such goals, objectives, and policies, and to invite public comment regarding such issues.

“(B) AVAILABILITY OF INFORMATION AND NOTICE.—Not later than 45 days before the date of such a hearing, the qualified small public housing agency shall—

“(i) make all information relevant to the hearing and any determinations of the agency regarding the goals, objectives, and policies of the agency to be considered at the hearing available for inspection by the public at the principal office of the public housing agency during normal business hours; and

“(ii) publish a notice informing the public that (I) the information is available as required under clause (i), and (II) a public hearing under subparagraph (A) will be conducted.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. OXLEY) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. OXLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3422, the Small Public Housing Authority Act, and wish to commend the gentleman from Texas (Mr. NEUGEBAUER) for his work on this important legislation.

The Small Public Housing Authority Act would amend the United States Housing Act of 1937 to exempt a small public housing agency from a requirement to prepare an annual public agency plan if the agency administers not more than a total of 250 dwelling units and section 8 vouchers and is not a troubled agency and provides assurances of resident participation.

Currently, public housing authorities are required to submit both a 5-year plan and an annual plan to HUD. The 5-year PHA plan addresses the agency's mission and their plan to achieve their mission. Specifically, the annual plan

has typically required public housing authorities to include information on the housing needs of the families in the jurisdiction, strategies to meet these needs, statement of financial resources, and PHA policies governing eligibility, selection, and administrations.

Typically the average streamlined PHA plan is 47 pages with extensive attachments. For a small PHA with limited staff, compiling such a report is both time consuming and labor intensive. The regulatory relief provided in this legislation will give small public housing authorities more time to focus on the needs of their tenants. This exemption of smaller PHAs from filing plans will not affect the ability of tenant organizations to continue to have input with the managers of their developments. Language incorporated into the legislation ensures tenant participation and requires smaller PHAs to provide advanced planning required under the 5-year plans.

Similar legislation sponsored by our good friend, retired Representative Doug Bereuter, was considered by the Financial Services Committee on March 17, 2004, and passed the House under suspension of the rules on May 5, 2004, in the 108th Congress.

Mr. Speaker, H.R. 3422 deserves our support. I urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we agree that this is a useful piece of legislation. I am one who believes in appropriate regulation. And if you believe in appropriate regulation, you should be committed to doing away with inappropriate regulation. When you overregulate, when you put too much of a burden on people who should not have the burden, you undercut the case for those restrictions where they should apply. Clearly, when you talk about housing authorities, you are talking about entities that differ greatly; and this is one of those cases where to quote, I guess Marx I am afraid, “Quantity can become quality.” Differences in size can become so important that they become difference in kind.

When you talk of the New York Public Housing Authority or the Los Angeles Public Housing Authority and you are talking about some of the very small public housing authorities, you are talking about very different entities, and you ought not try to put them all under one. So we appreciate the initiative that came on the other side from those who wanted to make this more flexible.

We did have some concerns. By “we” I did mean myself and the gentleman from California (Ms. WATERS), who chairs the housing subcommittee, because we did not want to have tenants who, after all, are human beings in large authorities as well as small to be somehow inadvertently disadvantaged. So we appreciate the fact that

the majority is willing to negotiate with us, and I always say that with trepidation lest my having acknowledged that we worked out something bipartisan in our committee and transformed something routine into an ideological war. But I would assure people that the negotiations here were of a fairly calm level.

What we did, essentially, was to maintain the statutory role for resident advisory boards. They are advisory, and obviously it is important to watch housing authorities that are small and talk to the people who live there.

Secondly, we left in a requirement that they have to have a public hearing at least once a year to talk about their objectives. I think these are beneficial. Finally, we wanted to make clear that they did have to self-certify that they were meeting the civil rights and fair housing laws.

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No one has to investigate them, but leaving that out, leaving that requirement itself out of the equation, the vast majority of housing authorities are well-intentioned, and you do not volunteer to be on a housing authority unless you really care about the people who are there. The people who run the small housing authorities are very often very civic-minded people, people who care about the poor. Very rarely are the people who run these authorities getting back any kind of compensation, enough to make up for the time. But we want to make sure that we did not send the wrong message.

So with those three fairly minor modifications that the majority accepted, this is a fairly useful bill, and we hope that it is passed.

Mr. Speaker, I reserve the balance of my time.

Mr. OXLEY. Mr. Speaker, I am now pleased to yield such time as he may consume to the gentleman from Texas (Mr. NEUGEBAUER), the sponsor of the legislation.

Mr. NEUGEBAUER. Mr. Speaker, I thank Chairman OXLEY and Ranking Member FRANK.

Mr. Speaker, H.R. 3422 would exempt public housing authorities with 250 or fewer public housing units and section 8 vouchers combined from the requirement of submitting an annual plan to the Department of Housing and Urban Development.

In the 108th Congress, the House passed a similar legislation sponsored by former Congressman Doug Bereuter. The Senate, however, failed to take up this legislation.

I represent a rural West Texas district. Most of the public housing authorities in my district have fewer than 250 housing units and/or vouchers. Several have part-time directors or directors who split time between public housing authorities.

The annual plan process, mandated by Congress in 1998, requires a significant amount of time and resources for

these public housing authorities. This mandate is especially burdensome on our PHAs, our small ones, because they have few staff resources to devote to the annual plans. While HUD has taken regulatory steps to reduce the reporting burden for small PHAs, the plans still require much unnecessary paperwork and additional time.

Reducing the unnecessary paperwork and reporting will help smaller PHAs better serve their communities and focus on their mission of providing affordable rural housing to rural residents in need.

H.R. 3422 only addresses annual plans. Small PHAs will still complete their HUD 5-year plan.

This legislation also requires PHAs to continue providing their residents with opportunity to help set goals and policies for the housing authority and to continue to certify their civil rights compliance with HUD.

However, I would note that the intent of this legislation is for HUD to keep the annual certification process as simple as possible and not create additional requirements and additional reports for PHAs.

This is a small bill, but it has a positive impact on PHAs in rural areas in my district, and I ask the House that this much-needed, commonsense regulatory relief for small public housing authorities be passed.

As the ranking member said, one of the things that makes sense is when government oversteps its bounds, it is appropriate for government to step back in and correct those. I think this is a much-needed correction so that we can let these small public housing authorities focus on the tenants and not on the paperwork.

I thank, again, the chairman and the ranking member.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself some additional time to simply say, I appreciate what the gentleman from Texas said in closing which is to focus on the tenants.

I think it is important that we continue to pay attention to housing authorities. Too often, people slip into the mistake of equating homeownership with homes. Homeownership is very important, yes, to the sense that people are economically and other ways able to own homes, that is a good thing. But a large number of low-income people, through a variety of reasons, economic and others, are not going to own homes, and we ought to be clear that it is the right of people to a home that we want to work for or at least the ability of people to have a decent home.

In many cases, that will be homeownership. But in some cases, it will not be, and we want to make it very clear, as far as the public sector is concerned, we ought to have the same obligation to help people make the most out of their home, whether they are tenants or owners. This is an example of how we do that.

So I thank the gentleman.

Mr. Speaker, I yield back the balance of my time.

Mr. OXLEY. Mr. Speaker, I have no further requests for time. I just want to, again, congratulate the gentleman from Texas for his leadership and the cooperation on the other side.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 3422, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. OXLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

#### GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3422.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### BROWNFIELDS REDEVELOPMENT ENHANCEMENT ACT

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 280) to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields, as amended.

The Clerk read as follows:

H.R. 280

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Brownfields Redevelopment Enhancement Act".

##### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) returning the Nation's brownfield sites to productive economic use could generate more than 550,000 additional jobs and up to \$2,400,000,000 in new tax revenues for cities and towns;

(2) redevelopment of brownfield sites and reuse of infrastructure at such sites will protect natural resources and open spaces;

(3) lack of funding for redevelopment is a primary obstacle impeding the reuse of brownfield sites;

(4) the Department of Housing and Urban Development is the agency of the Federal Government that is principally responsible for supporting community development and encouraging productive land use in urban areas of the United States;

(5) grants under the Brownfields Economic Development Initiative of the Department of

Housing and Urban Development provide local governments with a flexible source of funding to pursue brownfields redevelopment through land acquisition, site preparation, economic development, and other activities;

(6) to be eligible for such grant funds, a community must be willing to pledge community development block grant funds as partial collateral for a loan guarantee under section 108 of the Housing and Community Development Act of 1974, and this requirement is a barrier to many local communities that are unable or unwilling to pledge such block grant funds as collateral; and

(7) by de-linking grants for brownfields development from section 108 community development loan guarantees and the related pledge of community development block grant funds, more communities will have access to funding for redevelopment of brownfield sites.

(b) PURPOSE.—The purpose of this Act is to provide cities and towns with more flexibility for brownfields development, increased accessibility to brownfields redevelopment funds, and greater capacity to coordinate and collaborate with other government agencies—

(1) by providing additional incentives to invest in the development and redevelopment of brownfield sites; and

(2) by de-linking grants for brownfields development from community development loan guarantees and the related pledge of community development block grant funds.

#### SEC. 3. BROWNFIELDS DEVELOPMENT INITIATIVE.

Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) is amended by adding at the end the following new section:

##### "SEC. 123. BROWNFIELDS DEVELOPMENT INITIATIVE.

"(a) IN GENERAL.—The Secretary may make grants under this section, on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545), only to eligible public entities (as such term is defined in section 108(o) of this title) and Indian tribes for carrying out projects and activities to assist the development and redevelopment of brownfield sites, which shall include mine-scarred lands.

"(b) USE OF GRANT AMOUNTS.—Amounts from grants under this section—

"(1) shall be used, as provided in subsection (a) of this section, only for activities specified in section 108(a);

"(2) shall be subject to the same requirements that, under section 101(c) and paragraphs (2) and (3) of section 104(b), apply to grants under section 106; and

"(3) shall not be provided or used in a manner that reduces the financial responsibility of any nongovernmental party that is responsible or potentially responsible for contamination on any real property and the provision of assistance pursuant to this section shall not in any way relieve any party of liability with respect to such contamination, including liability for removal and remediation costs.

"(c) AVAILABILITY OF ASSISTANCE.—The Secretary shall not require, for eligibility for a grant under this section, that such grant amounts be used only in connection or conjunction with projects and activities assisted with a loan guaranteed under section 108.

"(d) APPLICATIONS.—Applications for assistance under this section shall be in the form and in accordance with procedures as shall be established by the Secretary.

"(e) SELECTION CRITERIA AND LEVERAGING.—The Secretary shall establish criteria for awarding grants under this section, which may include the extent to which